

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE GOOGLE DIGITAL
ADVERTISING ANTITRUST
LITIGATION

*This Document Relates To:
All Cases*

Civil Action No. 1:21-md-03010-PKC

CONSENT MOTION FOR ENTRY OF A MODIFIED CONFIDENTIALITY ORDER

PURSUANT TO RULE 26(c), Defendants, Google LLC, Alphabet Inc., and YouTube LLC, move for entry of a modified confidentiality order on the following grounds:

1. This antitrust action will include the discovery of confidential business information from the parties and non-parties.
2. The Court has previously entered a *Confidentiality Order* (ECF No. 297), which was intended to cover the handling, use, and disclosure of confidential information produced by the parties and non-parties during discovery.
3. Thereafter, non-party Comcast Corporation, for itself and with the support of other non-parties AT&T, Inc., Microsoft Corporation, Fox Corporation, and T-Mobile USA, Inc., requested that the parties modify the *Confidentiality Order* to address certain concerns with the procedures in the *Confidentiality Order* regarding the disclosure of confidential information produced by non-parties to in-house attorneys—that is, *Confidentiality Order ¶¶ 14(d), 19, 20-22*.
4. The parties and the non-parties identified above have agreed on a modified version of the *Confidentiality Order*, which addresses these concerns raised by these non-parties—*i.e.*, it deletes Paragraphs 20-22, and modifies Paragraphs 14(d) and 19, along with conforming edits.

5. Google now moves the Court to vacate the current *Confidentiality Order* and to enter the attached proposed *Modified Confidentiality Order* in its place (*nunc pro tunc* to May 11, 2022, the date when the *Confidentiality Order* was entered).

6. The Plaintiffs and the above-referenced non-parties consent to the relief sought in this motion.

WHEREFORE, Google requests that the Court vacate the current *Confidentiality Order* (ECF No. 297) and enter the attached proposed *Modified Confidentiality Order* (*nunc pro tunc* to May 11, 2022). Proposed orders are submitted herewith.

The parties and the above-referenced non-parties do not seek oral argument on this motion.

Dated: August 31, 2023

Respectfully submitted,

/s/ Bradley Justus

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CERTIFICATE OF SERVICE

I certify that on August 31, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by the CM/ECF system.

/s/ Bradley Justus _____

Bradley Justus
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